

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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|------------------------------------|---|--------------------------|
| In Re: | § | |
| | § | |
| DEEP MARINE HOLDINGS, INC.; | § | Case No. 09-39313 |
| DEEP MARINE TECHNOLOGY | § | |
| INCORPORATED; | § | Case No. 09-39314 |
| DEEP MARINE 1, LLC; | § | Case No. 09-39315 |
| DEEP MARINE 2, LLC; | § | Case No. 09-39316 |
| DEEP MARINE 3, LLC; | § | Case No. 09-39317 |
| DEEP MARINE 4, LLC | § | Case No. 09-39318 |
| Debtors. | § | Chapter 11 |

**DEBTORS' MOTION PURSUANT TO BANKRUPTCY RULE 1015
REQUESTING JOINT ADMINISTRATION OF CHAPTER 11 CASES**

The above-captioned debtors and debtors-in-possession (together, the "Debtors"), by and through their undersigned attorneys, hereby file this motion (the "Motion") for an order, pursuant to Federal Rule of Bankruptcy Procedure ("Bankruptcy Rule") 1015(b), granting joint administration of their Chapter 11 cases. In support thereof, the Debtors respectfully represent as follows:

I. JURISDICTION

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue of these cases in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b). The statutory predicate for the relief requested herein is Bankruptcy Rule 1015(b).

II. BACKGROUND

2. On December 4, 2009 (the "Petition Date"), Deep Marine Holdings, Inc., together with Deep Marine Technology Incorporated, Deep Marine 1, LLC, Deep Marine 2, LLC, Deep Marine 3, LLC and Deep Marine 4, LLC, filed petitions pursuant to Chapter 11 of

the Bankruptcy Code with this Court. The Debtors continue to operate their businesses pursuant to Bankruptcy Code §§ 1107(a) and 1108.

III. RELIEF REQUESTED

3. Pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015, the Debtors seek joint administration of their Chapter 11 cases and implementation of the following procedures:

(a) One docket shall be maintained for the Debtors' cases under the case number assigned to Deep Marine Holdings, Inc.

(b) The caption of the cases shall be modified to reflect the joint administration of these Chapter 11 cases as follows:

| | | |
|---|---|--|
| In Re: | § | |
| | § | |
| DEEP MARINE HOLDINGS, INC., et al. | § | Case No. 09-39313 |
| | § | |
| Debtors. | § | Jointly Administered Chapter 11 |
| | § | |

(c) A notation substantially similar to the following notation shall be entered on the docket of each of the Debtors' cases to reflect joint administration of these cases:

An order has been entered in this case directing joint administration of this case solely for procedural purposes with the Chapter 11 bankruptcy case of Deep Marine Holdings, Inc., Case No. 09-39313. The docket for Deep Marine Holdings, Inc. should be consulted for all matters affecting this case.

(d) The Office of the U.S. Trustee shall conduct joint informal meetings with the Debtors, as required, and a joint first meeting of creditors, if required.

(e) One plan and disclosure statement may be filed for all of the Debtors' cases; however, substantive consolidation is not being requested at this time.

(f) The Debtors may file consolidated Schedules of Assets and Liabilities and Statements of Financial Affairs, and, as applicable, Lists of Equity Security Holders.

(g) Proofs of claim filed by creditors of any Debtor shall reflect the caption and case number of the Debtor to which the claim relates and in whose case such claim is to be filed.

(h) A separate claims register shall be maintained for each Debtor.

(i) The Debtors shall be authorized to file the monthly operation reports required by the United States Trustee on a consolidated basis.

4. The Debtors request joint administration of these cases in the name of Deep Marine Holdings, Inc., because its case bears the lowest case number, and because it is affiliated with Deep Marine Technology Incorporated; Deep Marine 1, LLC; Deep Marine 2, LLC; Deep Marine 3, LLC; and Deep Marine 4, LLC.

IV. BASIS FOR RELIEF REQUESTED

5. Bankruptcy Rule 1015(b) authorizes this Court to order the joint administration of the bankruptcy cases of a debtor and its affiliates. The Debtors are “affiliates,” of Deep Marine Holdings, Inc. as such term is defined in Bankruptcy Code § 101(2), and accordingly, this Court is authorized to grant the relief requested herein.

6. The Debtors anticipate that, during the course of these cases, it will be necessary to file numerous motions and applications, as well as other pleadings and documents, seeking relief on behalf of all of the Debtors. The Debtors respectfully submit that joint administration of their Chapter 11 cases is in the best interests of the Debtors' estates, creditors, and other parties-in-interest and will further the interests of judicial economy and administrative expediency by, among other things, obviating the need to file duplicate motions, to enter duplicate orders, and to forward unnecessary, duplicate notices and other documents to creditors

and other parties-in-interest, which would result in unnecessary costs and expenses that would be borne by the Debtors' estates.

7. Accordingly, for the reasons set forth above, the Debtors submit that joint administration of these cases is in their best interests and those of their estates, creditors, and other parties-in-interest.

V. NOTICE

8. No trustee, examiner, or statutory creditors' committee has been appointed in these chapter 11 cases. Notice of this Motion has been or will be provided to the United States Trustee for the Southern District of Texas, the Debtors' know or alleged secured creditors, the 30 largest unsecured creditors of the Debtors (on a consolidated basis), the United States Attorney's Office for the Southern District of Texas, the Internal Revenue Service, any persons who have filed a request for notice pursuant to Bankruptcy Rule 2002, and any such other government agencies to the extent required by the Bankruptcy Rules and Local Rules. The Debtors submit that no further notice of this Motion is required.

VI. NO PRIOR APPLICATION

9. No previous request for the relief sought herein has been made to this or to any other Court.

VII. CONCLUSION

WHEREFORE, premises considered, the Debtors respectfully request that the Court enter an order, substantially in the form filed herewith, granting the relief requested herein and such other and further relief as may be just and proper under the circumstances.

Respectfully submitted,

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PROPOSED ATTORNEYS FOR THE DEBTORS